## Senate Bill No. 2085

### CHAPTER 269

An act to amend Sections 2921.5 and 3795.5 of the Revenue and Taxation Code, relating to taxation.

[Approved by Governor August 24, 2002. Filed with Secretary of State August 26, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2085, Committee on Revenue and Taxation. Property taxation.

Existing property tax law provides that a delinquent penalty does not attach to taxes as a result of a public agency acquisition, unless the delinquent penalty was on the property at the time of acquisition.

This bill would remove this condition on the attachment of a delinquent penalty.

Existing property tax law generally authorizes a county tax collector to sell tax-defaulted property 5 years or more after that property has become tax defaulted, and also authorizes a public agency, as provided, or a nonprofit organization, making certain written statements regarding the rehabilitation and use of property for low-income persons, to file a written objection to a proposed sale of tax-defaulted property. Existing law imposes various conditions on a nonprofit organization that objects to the sale of the tax-defaulted property, one of which is that the nonprofit organization obtain a certificate of consistency with a consolidated plan approved by the Department of Housing and Community Development.

This bill would remove that condition.

*The people of the State of California do enact as follows:*

SECTION 1. Section 2921.5 of the Revenue and Taxation Code is amended to read:

2921.5. Taxes, penalties, and costs on unsecured property as defined in subdivision (b) of Section 134, shall be transferred from the ''secured roll'' to the ''unsecured roll'' of the corresponding year by the county auditor on order of the board of supervisors with the written consent of the county legal advisor pursuant to Article 5 (commencing with Section 5081) of Chapter 4 of Part 9 at the same time the taxes are canceled on the property, and shall be collected in the same manner as other delinquent taxes on the ''unsecured roll.'' Amounts transferred pursuant to this subdivision shall continue to be subject to delinquent penalties until the amounts are paid, and are collectible from either the person from whom the property was acquired or the public entity that acquired the property.

SEC. 2. Section 3795.5 of the Revenue and Taxation Code is amended to read:

3795.5. In the case of an agreement involving a nonprofit organization, the board of supervisors may establish conditions of sale, including reporting, to assure the completion of rehabilitation within a reasonable time and maximum benefit to low-income persons. These conditions shall include, but are not limited to, the following:

(a) Requiring compliance with a jurisdiction's consolidated plan or a community development plan.

(b) Articles of incorporation filed with the Secretary of State, stating that the organization is incorporated for the purposes specified in subdivision (b) of Section 3772.5.

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